

THE MARKS LAW FIRM, P.C.

April 29, 2024

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Hon. Valerie E. Caproni
United States District Judge
United States District Court
40 Foley Square, Courtroom 443
New York, NY 10007

MEMO ENDORSED

RE: **Kirkpatrick Dunbar v. Little Rest LLC, et al.**
Index: 1:24-cv-00250-VEC

Dear Judge Caproni,

In accordance with Section 2(C) of your Honor's Individual Practices in Civil Cases, the parties jointly and respectfully request a sixty (60) day adjournment of the Pretrial Conference currently scheduled on **May 17, 2024** to **July 17, 2024**, as set forth in Your Honor's January 17, 2024 Notice of Initial Pretrial Conference [Dkt. 5].

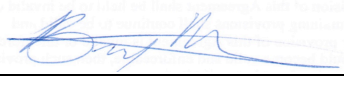
The reason for this request is that our office has engaged in substantive discussions regarding settlement of this action (including a meet and confer in accordance with Section 4 of Your Honor's Notice of Initial Pretrial Conference) with Robert Ontell (Attorney for Defendant, Little Rest LLC). The parties further discussed an informal exchange of photographs and pertinent documents related to the subject Premises. To that end, the parties have made significant progress towards resolution of all claims and respectfully request an immediate referral to the SDNY Mediation Program to assist the parties towards resolution, which would also preserve this Court's time and resources.

Accordingly, the parties jointly and respectfully request a sixty (60) day adjournment of the Pretrial Conference from **May 17, 2024** to **July 17, 2024** [Dkt. 5] and will provide this Court with a joint status report within seven days from the completion of mediation. This is the first request of its kind and is being made on consent of Defendant, Little Rest LLC.

We thank you and the Court for its time and consideration.

Respectfully Submitted,

The Marks Law Firm, P.C.

By: 
Bradly G. Marks

Application DENIED without prejudice. The parties may renew the request for referral to the mediation program after Defendants have entered appearances in this matter.

Plaintiff must serve a copy of this order on Defendants by no later than **Friday, May 3, 2024**.

SO ORDERED.



4/29/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE